

GRANTED.



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES W. CARELL, ROBERT VINING,
DIVERSIFIED HEALTH MANAGEMENT,
INC. (also known as CARELL
MANAGEMENT, LLC), THE JAMES W.
CARELL FAMILY TRUST, CAREALL,
INC., VIP HOME NURSING AND
REHABILITATION SERVICES, LLC
(also known as VIP HOME NURSING AND
REHABILITATION SERVICES, INC.),
PROFESSIONAL HOME HEALTH CARE,
LLC (also known as PROFESSIONAL HOME
HEALTH CARE, INC.), and UNIVERSITY
HOME HEALTH, LLC (also known as
UNIVERSITY HOME HEALTH, INC.),

Defendants.

No. 3:09-0445

JURY DEMAND

**DEFENDANTS JAMES W. CARELL AND CARELL, INC.'S MOTION FOR
LEAVE TO FILE A REPLY MEMORANDUM**

Pursuant to Local Rule 7.01(b), Defendants James W. Carell and CareAll, Inc. respectfully move the Court for leave to file a brief memorandum of not more than 19 pages in reply to the United States' Opposition to Defendants' Motion to Exclude Damages Evidence (Doc. No. 294). The proposed Reply accompanies this Motion.

As grounds for this motion, Defendants would show that the United States has filed a response that raises new issues and addresses facts that have come to light after Defendants filed their Motion to Exclude Damages Evidence (Doc. No. 279) ("Motion to Exclude"). Specifically, since Defendants filed their Motion to Exclude, the United States has served Defendants with its